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LICENSED IN NEW YORK STATE AND
THE UNITED STATES COURTS FOR THE NORTHERN,
SOUTHERN AND EASTERN DISTRICTS OF NEW YORK

April 12, 2020

VIA ECF

Honorable Pamela K. Chen
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: *Alice Sosa v. New York City Department of Education, Marcy Berger*
Docket No.: 1:18-CV-00411 (PKC) (SJB)

Dear Judge Chen:

I write this letter to clarify plaintiff's opposition to defendants' New York City Department of Education and Marcy Berger ("BOE") application seeking additional time to file an Answer to the Amended Complaint. On April 11, 2020, plaintiff's counsel stated the following in full response to the BOE's April 9th request for consent:

"Given that a substantial amount of the documentation regarding this case are contained online, is there an offer of proof as to what "records" are required to submit an answer and how they are intended to be retrieved on the requested timeline?

We certainly understand and appreciate the limitations imposed on counsel due to Covid-19. However, given the extent of litigation and the substantial delays already, my client and I are opposed to your request for such a lengthy extension for submission of an answer.

We would like for this case to proceed expeditiously."

BOE made no offer of proof as to the records or documentation necessitating an additional month-long delay. A teleconference in this matter is scheduled before Magistrate Bulsara on April 20, 2020 at 10:00am. Plaintiff desires to initiate substantive discussions at said teleconference regarding discovery, mediation and/or settlement of this action, all of which would be greatly aided by BOE submission of a more timely Answer.

Respectfully submitted,

s// Jalila A. Bell [JB7343]
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cc: Honorable Sanket J. Bulsara, United States Magistrate Judge, (by ECF)
J. Kevin Shaffer, Assistant Corporation Counsel, Attorney for Defendants (by ECF)